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60,427-619; 2004P02737US

### REMARKS

Claims 1-12 remain pending in the application including independent claims 1 and 7. New dependent claims 19-25 and independent claim 26 have been added.

The revisions to the specification are not related to any objections or rejections set forth in the subject official action. The specification has been revised solely to provide consistent terminology throughout the application.

Claims 1 and 7 have not been amended in response to any rejection or objection set forth in the subject official action. Claims 1 and 7 have solely been amended to correct a typographical error.

Figure 6 has been revised to include the reference number "58," which is described in the specification but not shown in the drawings. A replacement set of drawings is included herewith. No new matter has been added.

Claims 1-12 stand rejected under 35 U.S.C. 103(a) as being anticipated by Stass (US 6723148).

According to 35 U.S.C. 103(c):

Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

US 6723148 to Stass issued on April 20, 2004 and claims priority to provisional application 60/254,245, filed on December 8, 2000. The subject application claims priority to provisional application 60/296,657, which was filed on June 7, 2001. Thus, Stass would only qualify as prior art under 35 U.S.C. 102(e).

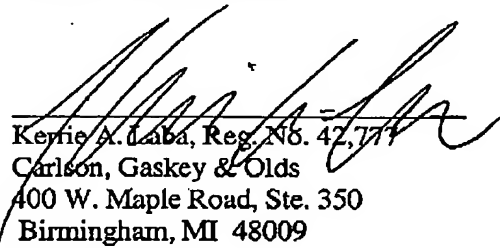
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Further, Stass is assigned to Siemens VDO Automotive, Inc. and the subject application is also assigned to Siemens VDO Automotive, Inc. Thus, Stass and the subject application are both subject to an obligation of assignment to the same entity. As such, Stass does not preclude patentability under 35 U.S.C. 103 and the rejection of claims 1-12 under 35 U.S.C. 103(a) based on Stass must be withdrawn.

Applicant asserts that all claims are in condition for allowance, and respectfully requests an indication of such. It is believed that no additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, for any additional fees or credit the account for any overpayment.

Respectfully submitted,

  
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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number (703) 872-9306, on February 18, 2005.

  
Laura Combs